

Applicants respectfully traverse these rejections. Applicants respectfully submit that the cited references, taken alone or in combination, do not disclose, teach or suggest the invention. Applicants respectfully submit that there are patentable differences between the cited references and Applicants' invention as recited in the claims.

Kirkwood fails to teach, disclose or suggest a mounting interface wherein positions of at least three surface points of the mounting interface are selected to reduce motor vibrations. Rather, Kirkwood discloses a vibration isolation system wherein the surface area common to a motor and a mounting surface is reduced in order to reduce the magnitude of motor vibrations.

In contrast, in Applicants' invention, the positions of the at least three surface points are specifically selected to affect a vibrational characteristic of the motor that thereby reduces motor vibrations.

In paragraphs 3 and 4 on pages three and four of the Office Action, claims 5, 16-23, 32 and 35 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kirkwood.

The Office Action stated that as per claims 16-19, 21-23, Kirkwood discloses a mounting interface described supra. The Office Action also stated that Kirkwood does not disclose the data storage system comprising a storage medium, an actuator and a spindle motor for rotating the storage medium. The Office Action stated that one of ordinary skill in the art at the time the invention was made to incorporate the mounting

interface of Kirkwood into a data storage system comprising a storage medium and an actuator and a spindle motor for rotating the storage medium.

Applicants respectfully traverse these rejections. Applicants assert that combining Kirkwood and that which is allegedly "very well known" to produce a hypothetical structure or method that still lacks features in claim 1, as discussed above, does not constitute the basis for the rejection of claims under 35 U.S.C. 103(a). Applicants contend that reasonable doubt exists regarding the circumstances justifying the exercise of Official Notice, and requests that evidence be provided which demonstrates the appropriateness of the Officially Noticed facts, pursuant to MPEP § 2144.03. Applicants reserve the opportunity to respond to any Official comments concerning any such judicially noticed facts.

However, for the reasons given above, Applicants respectfully submit that the Kirkwood does not disclose, teach or suggest the invention. More specifically, as discussed above, Kirkwood does not disclose that the positions of the at least three surface points are specifically selected to affect a vibrational characteristic of the motor that thereby reduces motor vibrations. Still further, Applicants respectfully submit that Kirkwood does not suggest incorporating a mounting interface as recited in the claims into a data storage system comprising a storage medium and an actuator and a spindle motor for rotating the storage medium.

Therefore, in view of the above remarks, Applicants' claims 1 and 16 are patentable over Kirkwood.

Because claims 2-15 and 17-30 depend from independent claims 1 and 16, respectively, include the features recited in the independent claims as well as additional

features, Applicants respectfully submit that claims 2-15 and 17-30 are also patentably distinct over the cited reference. Nevertheless, Applicants are not conceding the correctness of the Examiner's rejection with respect to such dependent claims and reserves the right to make additional arguments if necessary.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

Respectfully submitted,

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Date: March 28, 2001

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